STATEMENT OF FACTS

Your affiant, [redacted], is a Special Agent with Federal Bureau of Investigation. I have been in this position since November of 2019. I am currently assigned to the Joint Terrorism Task Force in the FBI San Antonio Field Division, and previously I was a police sergeant with the Metropolitan Police Department in Washington, D.C. Among my duties, I have been tasked with investigating criminal activity in and around the U.S. Capitol grounds that occurred on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detention, investigation, or prosecution of a violation of Federal criminal laws. The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification are allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, shortly after 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m., members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of

violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

On January 7, 2021, an identified individual (hereinafter "Citizen 1") called the FBI National Threat Operations Center (NTOC) to report an individual who was inside of the U.S. Capitol during the events of January 6, 2021. In the report, Citizen 1 stated that an individual named Matt Mazzocco (MAZZOCCO) posted pictures of himself on Facebook at the U.S. Capitol with the caption, "The capital [sic] is ours!"

A telephone interview was conducted wherein Citizen 1 reported that he does not personally know MAZZOCCO, but he recognized MAZZOCCO because they both belong to the same youth sports league. Citizen 1 was alerted to the postings by several parents in the group and saw MAZZOCCO's posts on the youth sports league group Facebook page. Citizen 1 stated that MAZZOCCO was from San Antonio, Texas, and repeated that he observed several pictures that MAZZOCCO posted of himself on Facebook, one of which showed him standing outside the U.S. Capitol with the caption "The capital [sic] is ours!" Citizen 1 further stated that MAZZOCCO posted a "selfie" photo taken by MAZZOCCO inside the U.S. Capitol showing a view of the U.S. Capitol Rotunda. Citizen 1 did not observe MAZZOCCO with any visible weapons in these photos. According to Citizen 1, MAZZOCCO has since deleted the Facebook photos and posts.

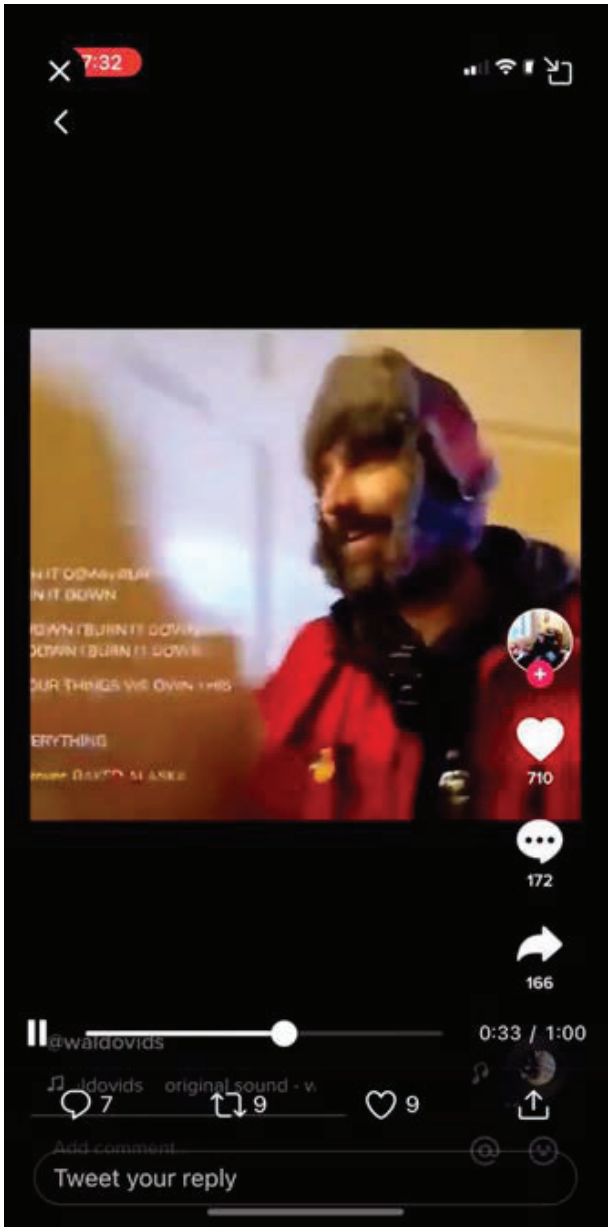
During an in-person follow-up interview on January 11, 2021, Citizen 1 showed agents the youth sports league group Facebook page where he originally saw the photos of MAZZOCCO, as well as a screenshot that Citizen 1 took of MAZZOCCO's post. The photo was a screenshot of a Facebook profile for a "Matt Mazzocco" with a "selfie" photo of MAZZOCCO outside of the U.S. Capitol with the caption, "The capital [sic] is ours!"

Search
Matt Mazzocco
2 hrs
The capital is ours!
129
46 Comments
Matt Mazzocco
Matt Mazzocco
The #1 ranked Branch manager in the world by my mom! Mortgage Loan Ninja. I know my way around a meme
Add Friend
Lives in San Antonio, Texas
From San Antonio, Texas
See Matt's About Info

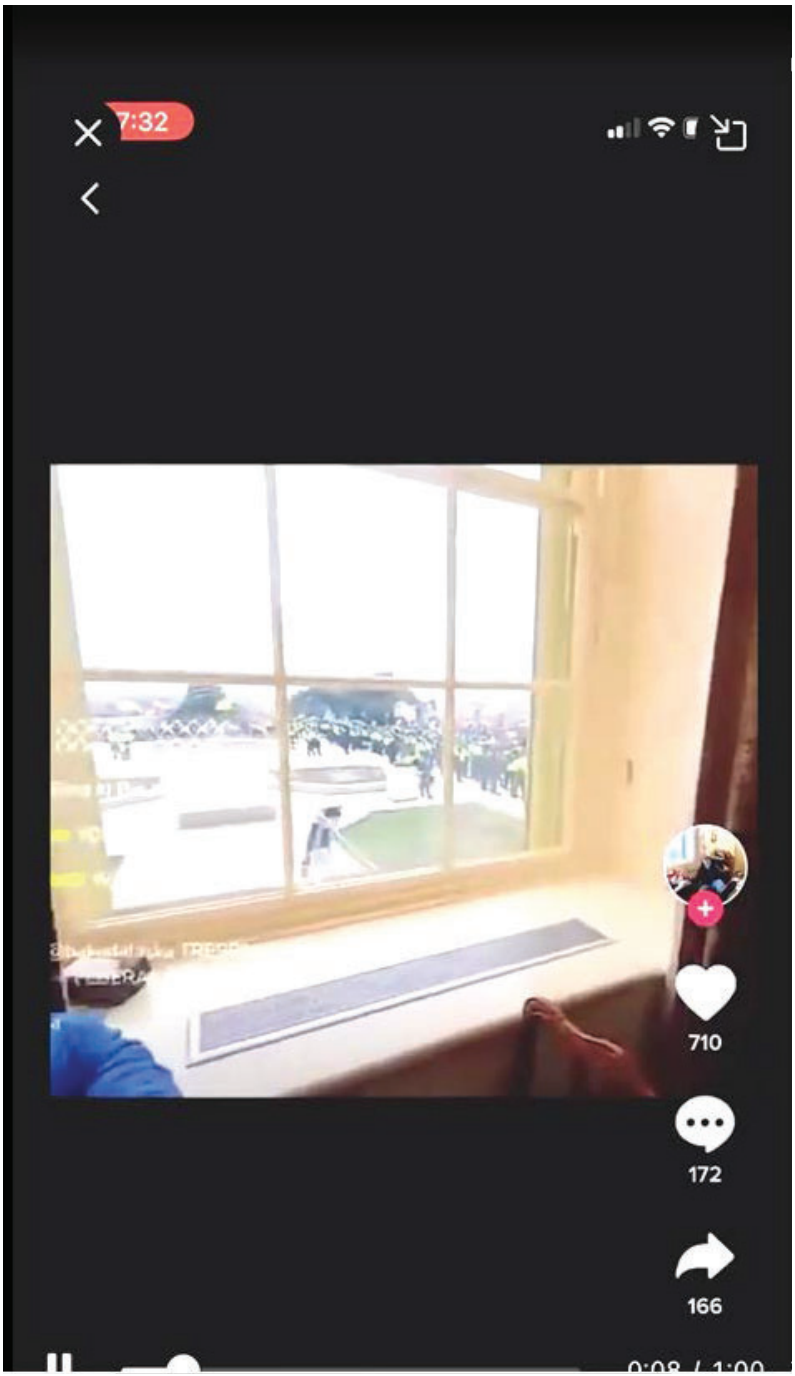
Citizen 1 did not memorialize the photo of MAZZOCCO inside the U.S. Capitol that Citizen 1 previously observed.

In addition to Citizen 1's information, on January 7, 2021, an anonymous individual (hereinafter "Anonymous") called the FBI NTOC to identify MAZZOCCO as possibly involved in the breach of the U.S. Capitol. Anonymous identified MAZZOCCO as a mortgage loan officer for CMG Financial and said that the TikTok user @beccaboostanaccount uploaded a video identifying MAZZOCCO. Your affiant reviewed that video, and within that video is the picture MAZZOCCO uploaded of himself to his Facebook account with the caption, "The capital [sic] is ours!" This is the same post already identified by Citizen 1, corroborating Citizen 1's statements. This video also identified MAZZOCCO as working for CMG Financial.

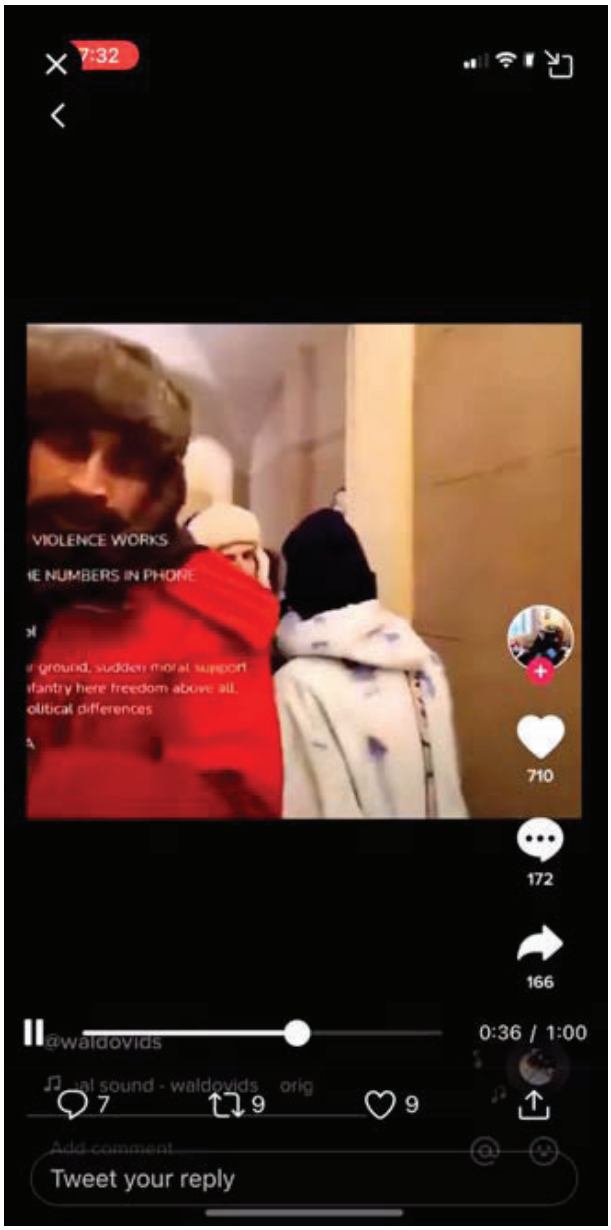
On January 9, 2021, the FBI San Antonio Twitter account (@SanAntonioFBI) was tagged in a Tweet at approximately 8:21 a.m. by user @pence_fly. The Tweet displayed the caption, "This is Matt Mazzocco from San Antonio, TX. You can see him INSIDE the Capitol towards the end of this video." Included with the Tweet was a video of multiple individuals inside of a building that appears to be the U.S. Capitol. Captured on the video is MAZZOCCO, whose face can be seen on video, wearing the same hat and clothing worn in previously identified photos.



At the beginning of the video, several individuals can be seen looking out of a window. Visible through the window is the back of a police line consistent with the police line that formed in the exterior plaza of the U.S. Capitol Building on January 6, 2021.



Towards the end of the video MAZZOCCO can be seen walking through a hallway in which a U.S. Capitol Police Officer is later observed on the video.



MAZZOCCO is seen and heard on the video telling others not to take or destroy anything, and that they were probably going to get in trouble for what they were doing. Audio from the video includes statements from various individuals that people were on the Senate floor.

Historical flight information verified that MAZZOCCO flew from San Antonio, Texas, and arrived at Washington Dulles International Airport on January 5, 2021, at approximately 8:44 p.m. Eastern Standard Time. MAZZOCCO then returned to San Antonio from Washington on January 7, 2021, landing at approximately 9:46 p.m. Central Standard Time.

On January 14, 2021, your affiant interviewed an identified individual (hereinafter "Citizen 2") who worked with MAZZOCCO at CMG Financial and has known him for over 3.5 years. Citizen 2 viewed the Twitter video from inside the U.S. Capitol, and was asked if they could

identify anyone in the video. Citizen 2 identified MAZZOCCO as the individual in the video. Citizen 2 stated that they had not seen that video prior to the agents showing it to them. Citizen 2 was shown a second video obtained from YouTube. This video depicts the same time frame and location as the first video but from a different angle. In this video Citizen 2 was not able to say definitively that one of the individuals shown was MAZZOCCO because his face was not visible. Citizen 2 did state that that there was an individual in the video wearing the same jacket and hat that MAZZOCCO was wearing, and that it was most likely MAZZOCCO. Citizen 2 also viewed the "selfie" photo MAZZOCCO posted on Facebook and MAZZOCCO'S driver's license photo, and identified the person in each photograph as MAZZOCCO.

Open source social media research showed multiple Facebook profiles associated with usernames "Matt Mazzoco." All but one account contained profile pictures that were not consistent with previously seen photos of MAZZOCCO. One account, with vanity name matt.mazzocco.5, did not contain any information including photographs, friends, or postings, and appeared to have been sanitized to remove any content. The FBI utilized a pay-for-service open source collection tool and found that the online username matt.mazzocco.5 was associated with MAZZOCCO, based on certain biographical factors, including phone number, home address, and social security number.

Based on the foregoing, your affiant submits that there is probable cause to believe that MATTHEW CARL MAZZOCCO violated 18 U.S.C. §§ 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a "restricted building" includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that MATTHEW CARL MAZZOCCO violated 40 U.S.C. §§ 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) uttered loud, threatening, or abusive language, or engage in disorderly or disruptive conduct with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before or any deliberations of, a committee of Congress or either House of Congress; (G) parade, demonstrate, or picket in any of the Capitol Buildings.

Date: January 17, 2021

[redacted]
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 17th day of January 2021.

Robin M. Meriweather
Digitally signed by Robin M. Meriweather
Date: 2021.01.17 14:36:43 -05'00'

U.S. MAGISTRATE JUDGE